



IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

EXXON CORPORATION, A
NEW JERSEY CORPORATION

PLAINTIFF

VS.

CIVIL ACTION NO. J89-0627(B)(N)

CROSBY-MISSISSIPPI RESOURCES,
LTD., A MISSISSIPPI LIMITED
PARTNERSHIP, ET AL.

DEFENDANTS

IN ACCOUNTING PROCEEDINGS BEFORE THE MASTER

**SIXTH AMENDED SCHEDULING ORDER FOR DISCOVERY ON ISSUE NO. 9
(UNJUST ENRICHMENT OF EXXON DUE TO FAILURE TO PROPERLY ALLOCATE)**

THIS MATTER came before the Master *sua sponte* concerning the discovery deadline on Issue No. 9 in the Accounting Proceedings which deadline has previously been extended as the parties located, organized, produced, and then reviewed and integrated, voluminous relevant documents into the accounting process, and the Master, being fully advised in the premises, hereby finds that, despite diligent efforts of all parties, the deadline for completion of discovery on Issue No. 9 should be extended to allow full and complete discovery on said issue and, also, that the Scheduling Order originally issued on Issue No. 9 should be amended to address other matters as hereinafter provided.

ACCORDINGLY, it is hereby ordered as follows:

(A) Numbered Paragraph (5) of the original Scheduling Order for Discovery on Issue No. 9, which was filed May 4, 2005, shall be, and the same hereby is, amended to provide as follows:

"(5) Discovery authorized by the Order of the Master dated April 4, 2005, shall be as permitted by the Federal Rules of Civil Procedure in accordance with the following schedule.

- (a) All discovery shall be completed on or before **March 31, 2006**, unless extended for good cause shown.
- (b) CMR et al.'s expert witnesses, if any, shall be designated and expert witness reports provided on or before **March 1, 2006**.
- (c) Exxon Corporation's expert witnesses, if any, shall be designated and expert witness reports provided on or before **March 15, 2006**.
- (d) Each side is allowed to propound up to 30 interrogatories.
- (e) Each side is allowed to take up to 10 depositions.
- (f) The number of requests for production of documents and things is not limited.

Upon the completion of discovery, the Master shall hold a conference to determine a deadline for motions and/or the date of a hearing

for resolution of factual matters raised by Issue No. 9.”

(B) Except as hereinabove stated the Scheduling Order filed May 4, 2005, shall, and the same hereby does, remain unchanged and is adopted herein by reference for all purposes including numbered Paragraph (7) thereof which provides as follows, to wit:

"(7) Notwithstanding discovery conducted on Issue No. 9, the parties shall continue in informal meetings and work sessions to:

(a) exchange information relative to monthly volumes, prices and values of gas produced and sold from relevant wells for the purposes of establishing monthly revenues to the extent possible through agreement and, also, to identify differences in monthly volumes, prices and values of gas produced and sold as reflected in Exxon Corporation's and CMR, et al.'s records in order to resolve said differences to the extent possible; and

(b) exchange information on monthly payments made by Exxon Corporation and other entities to CMR, et al. for gas produced and sold from relevant wells and the decimal interest used in making payments; and

(c) exchange information on monthly allocations of gas produced and sold from relevant wells and the decimal interest used in making allocations; and

(d) provide such other information as may be necessary and/or helpful in obtaining a full, complete and accurate accounting of and concerning the financial transactions and obligations between and among the parties."

SO ORDERED on this, the 30th day of January, 2006.



MARY ANN PARKS, MASTER